

AO 91 (Rev. 11/11) Criminal Complaint (modified by USAO for telephone or other reliable electronic means)

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

John Davon RASH

Case No.

2:24-mj-367

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 25, 2023 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 922(g)(1) and 924(a)(8)

Convicted Felon in Possession of a Firearm

18 U.S.C. 922(g)(1) and 924(a)(8)

Convicted Felon in Possession of Ammunition

This criminal complaint is based on these facts:

SEE ATTACHED

☒ Continued on the attached sheet.

[Signature]

Complainant's signature

S. Chappell, ATF TFO

Printed name and title

Sworn to before me and signed in my presence.

Date:

July 30, 2024

City and state:

Columbus, Ohio

[Signature]

Judge's signature

Elizabeth Preston Deavers, U.S. Magistrate Judge

Printed name and title



PROBABLE CAUSE AFFIDAVIT**John Davon RASH**

I, Samuel Chappell, being duly sworn, depose and state that:

1. I have been an Officer with the Columbus Division of Police (CPD) since 2007. I have been assigned to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a Task Force Officer (TFO) since 2017. As a result of my training and experience, I am familiar with state and federal laws pertaining to firearms and narcotics violations, among other offenses.
2. This affidavit is being submitted in support of an application for a criminal complaint against John Davon RASH (hereinafter referred to as RASH) for being a convicted felon in violation of a firearm and a convicted felon in possession of ammunition, both in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).
3. The facts set forth within this affidavit come from my own personal involvement with the investigation, as well as information provided by other law enforcement officers and reports. The information outlined below does not contain all details or all facts of which I am aware relating to this investigation but rather is provided for the limited purpose of establishing probable cause that RASH committed these offenses.

The Columbus Violence Reduction Program

4. Columbus Violence Reduction (CVR) is the City of Columbus' group violence intervention model. This evidence-based approach to combatting violent crime is premised on the notion that a small number of individuals and groups are responsible for committing the vast majority of shootings, homicides, and other violent crimes in a given neighborhood or community. Group violence intervention programs have demonstrated that violence can be reduced through a partnership between law enforcement agencies, social service providers, and community members that directly engages with those who are involved in violent crime.
5. CVR identifies and focuses on the individuals and groups at the highest risk of engaging in (and thus also becoming victims of) violent crime. CVR's mission is to keep these individuals safe, alive, and out of prison. One of CVR's primary tools is the Call-In. A Call-In is a public, in-person meeting during which social service providers, community members, and law enforcement officials speak directly to offenders selected to participate in CVR. A Call-In seeks to deliver a three-part message: a moral message that the community cares about each offender and does not want participants to do harm or be harmed; a support and outreach message that services and resources are available to help offenders transition away from a life of violence; and a law enforcement message that individuals and groups who continue to commit crimes will be held accountable.
6. On or about March 6, 2023, RASH was released from the Northeast Ohio Correctional Center. RASH signed an Ohio Department of Rehabilitation and Correction (ODRC) Adult Parole Authority (APA) document entitled, "Conditions of Supervision." In that document, RASH

PROBABLE CAUSE AFFIDAVIT**John Davon RASH**

agreed to “the warrantless search of [his] person, motor vehicle, place of residence, personal property, or property that [he has] been given permission to use, by [his] supervising officer or other authorized personnel of the Ohio Department of Rehabilitation and Correction at any time.” After his release, RASH was identified as an offender who could benefit from involvement in the CVR program.

7. On or about October 17, 2023, CVR convened a Call-In at Church of Christ at Genessee Avenue in Columbus, Ohio. RASH was one of the offenders selected to participate in this session. During the Call-In, RASH and the other participants heard from CVR Director Molly Robbins, Mayor Andrew Ginther, CPD Chief Elaine Bryant, CPD Gang Enforcement Unit Lieutenant Joe Rich and Sergeant Shawn Gruber, Franklin County Prosecutor Deputy Chief Counsel Anthony Pierson, United States Attorney’s Office Deputy Criminal Chief Brian Martinez, Franklin County Coroner Dr. Nathaniel Overmire, CVR Intervention Manager Sean Smith, a prior offender who left his life of crime and now works with CVR, and a mother who lost her son to gun violence. Scores of community members attended to support and encourage the participants. The speakers urged the offenders to take advantage of the services and resources that were being made available to them. The speakers also made clear that any participant who committed a crime after the Call-In would be held accountable to the fullest extent of the law.

The Felon-in-Possession Offenses

8. According to an ODRC APA report that I have reviewed, on or about October 25, 2023, APA officers received information from a known source that RASH had a firearm inside his APA-approved residence of 1250 Phale D. Hale Drive, Columbus, OH 43203. RASH lives at 1250 Phale D. Hale Drive with his grandmother.
9. On or about October 25, 2023, APA officers went to 1250 Phale D. Hale Drive, Columbus, OH 43203. The officers encountered RASH at the doorway of the residence and arrested him. At the time, RASH was the only occupant in the residence.
10. The officers conducted a search of the residence. During the search of RASH’s bedroom, the officers found a firearm magazine loaded with 5.56mm ammunition and other assorted rounds of ammunition. During a search of RASH’s grandmother’s room, officers found a loaded Taurus Model G3 9mm pistol (serial number ACA420036).
11. The firearm and its magazine were later swabbed for DNA. The swabs were placed into evidence.
12. On or about January 3, 2024, I obtained a federal search warrant (case number 2:24-mj-6) authorizing the seizure of DNA samples from RASH. On or about January 16, 2024, I executed the search warrant and obtained swabs from RASH’s mouth.
13. The swabs from the firearm and its magazine and the swabs from RASH were submitted to the Ohio Bureau of Criminal Investigation (BCI) Laboratory in London, Ohio.

PROBABLE CAUSE AFFIDAVIT**John Davon RASH**

14. On or about March 3, 2024, BCI issued DNA report number 24-11009. The report detailed an examination of swabs taken from the firearm and its magazine recovered on October 25, 2023, and swabs taken from RASH's mouth. The report stated the major DNA profile from the firearm was consistent with RASH and the estimated frequency of occurrence of the major DNA profile is rarer than 1 in 1 trillion unrelated individuals. DNA from the magazine was not of sufficient quality for comparison.
15. RASH was prohibited from possession of a firearm and ammunition based upon having been previously convicted of the following crime punishable by a term of imprisonment exceeding one year: Franklin County, Ohio Court of Common Pleas, case number 17 CR 3664, felonious assault. Records from the Franklin County Court of Common Pleas, case number 17 CR 3664, show that on or about February 27, 2018, RASH was sentenced to four years of imprisonment.
16. I confirmed via ATF resources that the aforementioned firearm that RASH possessed on or about October 25, 2023, was not manufactured in the State of Ohio and therefore had previously traveled in interstate commerce to reach the State of Ohio. I further confirmed that the 5.56mm ammunition that RASH possessed on that date was not manufactured in the State of Ohio and therefore had previously traveled in interstate commerce to reach the State of Ohio.
17. The aforementioned offenses occurred in Franklin County, Ohio, in the Southern District of Ohio.

Conclusion

18. Based on this information, I believe that probable cause exists that RASH, knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, that is, a Taurus Model G3 9mm pistol (serial number ACA420036) and rounds of 5.56mm ammunition, and the firearm and the ammunition were in and affecting interstate commerce, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).


ATF TFO Samuel Chappell

Sworn to and subscribed before me on this 30th day of July 2024, in Columbus, Ohio.


HONORABLE ELIZABETH PRESTON DEAVERS
United States Magistrate Judge

